IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

WRIT PETITION NO. 1534 OF 2005

Nath Pulp land Paper Mills Ltd. ... Petitioner

Vs.
Lloyds Finance Ltd. ... Respondents

Mr. M.L. Sharma for Petitioner.

Mr. Rajesh More for Respondent.

CORAM : A.M. KHANWILKAR,J.
DATED : JULY 15, 2005

P.C.

. The prayer for quashing of the complaint was considered by this court and rejected by order dated 1.12.2004. The counsel for the Petitioner fairly accepts that the Petitioners carried the matter in appeal before the Apex Court and the same has been rejected. The counsel for the Petitioner however contends that the Apex Court granted liberty to the petitioner to apply to the concerned Magistrate for appropriate relief. In terms of that liberty the Petitioners moved the Magistrate by way of application dated 6.5.2005 for discharge which came to be rejected by the order dated 6.6.2005. The Petitioners however, are not questioning the order passed by the Magistrate rejecting the discharge application. The counsel for the Petitioners reiterates that the Petitioners seek quashing of the complaint for the reasons

which are stated in this Petition. That is not permissible. For, on the earlier occasion this court has already considered the prayer for quashing of the complaint and the same has been rejected. That order has been upheld by the Apex Court. Accordingly, this petition is misconceived and therefore, dismissed.

(A.M. KHANWILKAR,J.)